IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE ELEVENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 11550 of 2004

Between:

N.Shanmugam, s/o N.Venkatesam,
Working in Commercial Section, o/o General Manager, Telecom

District, BSNL, Tirupathi.

..... PETITIONER

AND

1 The Chief General Manager, Bharat Sanchar Nigam Limited (BSNL),
Abids, A.P., Hyderabad
2 The General Manager, BSNL, Tirupathi, Telecom District, Tirupati.
3 The Assistant General Manager (Admn.) BSNL, O/o GM Telecom

District, Tirupathi.
4 The Sub-Divisional Engineer, Vigilance, O/o General Manager

Telecom District, BSNL, Tirupati.
5 The Divisional Engineer, Admn., o/o The General Manager Telecom

District, BSNL, Tirupathi.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or a writ more particularly in the nature of writ of mandamus by declaring the inaction of the respondents in granting the benefit of temporary status of a Group D in the respondent Department as the petitioner is found to have fulfilled the eligible conditions for regularization, as arbitrary, discriminatory, illegal and violative of Article 14, 16 & 21 of the Constitution of India and consequently

direct the respondents to grant the temporary status of a Group D benefit by passing appropriate orders on the claim pending with them.

Counsel for the Petitioner : MR.KRISHNA DEVAN

Counsel for the Respondents: STANDING COUNSEL FOR CENTRAL GOVERNMENT.

The Court at the admission stage made the following :

O R D E R:

The petitioner claims that he worked as a Casual Mazdoor under the respondent-Corporation. He is relying on a work certificate said to be issued by S.D.E. Palamaner to the effect that he worked for two years as casual Mazdoor for the period from 03.01.1997 to 30.03.1998 and 01.04.1998 to 31.12.1999 for L&W Works and installation works. The petitioner states that he made a representation to the first respondent on 01.12.2003 and another representation dated nil to the fourth respondent and orders have not been passed regarding his request for temporary status. He therefore, approached this Court seeking a direction to the respondents to pass appropriate orders on his representation regarding his claim for temporary status.

2. In the light of the circumstances explained by the petitioner, the respondents are directed to pass appropriate orders on his representation dated 01.12.2003, if necessary by giving opportunity to him to produce the relevant records, according to the existing rules, circulars and instructions, within two months from the date of receipt of this order and communicate the same to the petitioner.

3. The writ petition is, accordingly, disposed of.

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11-08-2004.

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To

1. The Chief General Manager, Bharat Sanchar Nigam Limited (BSNL),
   Abids, A.P., Hyderabad
2 The General Manager, BSNL, Tirupathi, Telecom District, Tirupati.
3 The Assistant General Manager (Admn.) BSNL, O/o GM Telecom

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